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**(PTO ASSISTANCE)**

Application : 09/807 867 Examiner : Kallis GAU : 1638

From: LAS Location: IDC FMF FDC Date: 10-11-05

Tracking #: 6055426 Week Date: 12-27-04

DOC CODE	DOC DATE	MISCELLANEOUS
<input type="checkbox"/> 1449		<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS		<input type="checkbox"/> Foreign Priority
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<input type="checkbox"/> IIFW		<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW		<input type="checkbox"/> Other
<input type="checkbox"/> DRW		
<input type="checkbox"/> OATH		
<input type="checkbox"/> 312		
<input checked="" type="checkbox"/> SPEC	<u>4-20-2001</u>	

**[RUSH] MESSAGE:**

Page 17, line 24 of the specification is illegible.  
(due to scanning).

Thank you

**[XRUSH] RESPONSE:**

See misc.com

DONE

INITIALS: CJ

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.

REV 10/04

Application No. 09/807,867

**PATENT APPLICATION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of

Attn: Publishing Division

Pierre CAROL et al.

Application No.: 09/807,867

Filed: June 15, 2001

Docket No.: 109326

For: CDNA SEQUENCE TRANSCRIBING AN mRNA ENCODING THE TERMINAL OXIDASE ASSOCIATED WITH CAROTENOID BIOSYNTHESIS, AND USES THEREOF

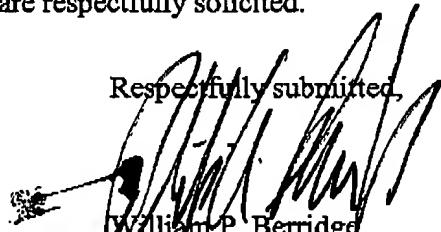
**RESPONSE TO NOTICE TO FILE CORRECTED  
APPLICATION PAPERS WITH SUBSTITUTE SPECIFICATION**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Corrected Application Papers - Filing Date Granted (copy attached) mailed on November 8, 2005, a copy of Page 17 of the Specification is attached in order to correct the informality cited in the Notice.

Entry of this document should complete all of the filing formalities and fully satisfy all requirements of the Notice to File Corrected Application Papers. Examination and allowance of this application in due course are respectfully solicited.

Respectfully submitted,  
  
 William P. Berridge  
 Registration No. 30,024

Philip A. Caramanica, Jr.  
 Registration No. 51,528

WPB:PAC/jam

November 15, 2005

OLIFF & BERRIDGE, PLC  
 P.O. Box 19928  
 Alexandria, Virginia 22320  
 Telephone: (703) 836-6400

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- 17 -

4 - Isolation and characterization of the coding sequence

A cDNA library was used, which is a commercial library sold by Clontech Laboratories, Inc.. This is a 5 cDNA library made from mRNAs extracted from *Arabidopsis thaliana*, transformed into cDNAs and then cloned into the plasmid vector pGAD10.

Using this cDNA data library, and according to 10 the usual techniques, using the gene identified above as a probe, several clones containing a cDNA of about 1 400 base pairs in size were isolated.

The total sequence of the cDNA was determined and showed that this cDNA is entirely within the genomic DNA fragment identified previously. The coding 15 portion (or exons) and the noncoding portion (introns) of the gene were placed on the sequence of the gene. The gene bears 9 exons and 8 introns. The insertion of the transposon Ds was identified at the start of the second exon and thus interrupts the coding portion of 20 the gene.

The cDNA sequence has a potential start codon followed by an open reading frame of 350 amino acids, encoding a potential protein of 39 kDa known as TOCB. A search for homology using the blastp program [(Altshul 25 et al. (1997), Gapped BLAST and PSI-BLAST: a new generation of protein database search programs Nucleic Acids Res. 25, 3389-3402] revealed a low but significant homology with polypeptides belonging to the family of mitochondrial alternative oxidase or terminal 30 oxidase (AOX) proteins. No other significant homology was found. The homology starts at amino acid 111 and shows 29% identity (45% similarity) with soybean oxidase. Despite the low identity with the AOX protein, a computer search for secondary structures and 35 potential domains of biological significance revealed a structural similarity between the protein TOCB and AOX. Transmembrane helix domains found in AOX are located in similar positions on the peptide sequence of TOCB,

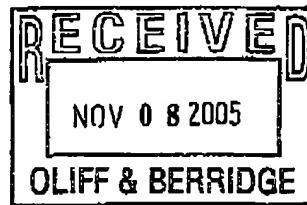


## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/807,867	06/15/2001	Pierre Carol	109326	6258

25944 7590 11/08/2005  
 OLIFF & BERRIDGE, PLC  
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 ALEXANDRIA, VA 22320



EXAMINER
KALLIS, RUSSELL

ART UNIT	PAPER NUMBER
1638	

DATE MAILED: 11/08/2005

DUE DATE

DEC - 8 2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED  
 By Frye on 11/8 2005  
 and  
 By JMM on 11/8 2005  
 Oliff & Berridge

**UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Serial Number  
09807867

Date Mailed  
11/08/05

**NOTICE TO FILE CORRECTED APPLICATION PAPERS****Notice of Allowance Mailed**

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- Specification page 17, lines 24 has illegible data.

**APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.**

A copy of this notice **MUST** be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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